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STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of Financial and Insurance Services

In the matter of:

Office of Financial and Insurance Services,

Enforcement Case No. 07-4976

Petitioner,

v

Brennan V. Krengel,

Respondent

CONSENT ORDER AND STIPULATION

Issued and entered,  
on 4 September, 2007,  
by Frances K. Wallace  
Chief Deputy Commissioner

I.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. At all pertinent times, Brennan V. Krengel ("Respondent") was a licensed resident insurance producer authorized to transact the business of insurance in this state.
2. As a licensed resident producer, Respondent knew, or had reason to know, that Section 1247(2) of the Michigan Insurance Code requires, within 30 days after the initial pretrial hearing date, an insurance producer to report to the Commissioner any criminal prosecution against the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.
3. On February 3, 2006, the Office of Financial and Insurance Services ("OFIS") received a letter from [redacted], Disclosure Specialist at Merrill Lynch, informing OFIS that the Respondent wished to disclose charges of one count of

- felony drug possession, one count of misdemeanor drug possession, and one count of misdemeanor drug possession in Ottawa County, Ohio.
4. On or about August 21, 2004, Respondent did knowingly obtain, possess or use cocaine, a Schedule II controlled substance in an amount less than five (5) grams; use, or possess with purpose to use, drug paraphernalia; and obtain, possess, or use marihuana, a Schedule I controlled substance, in an amount less than one hundred (100) grams.
  5. On or about January 1, 2006, the Court of Common Pleas of Ottawa County, Ohio, granted Respondent's requests for "treatment in lieu of conviction."
  8. On or about August 21, 2006, the court found that Respondent satisfactorily complied with the requirements of a typical intervention type program and dismissed the charges against Respondent.
  9. Respondent violated Section 1247(2) of the Michigan Insurance Code by failing to report to the Commissioner, within 30 days after his initial pretrial hearing date, criminal prosecution against the Respondent in the State of Ohio.

## II. ORDER

Based upon the Findings of Fact and Conclusions of Law above and Respondent's stipulation, the Chief Deputy Commissioner ORDERS that:

1. Respondent shall cease and desist from operating in a manner that violates, including but not limited to, Section 1247(2) of the Michigan Insurance Code, MCL 500.1247(2).
2. Respondent shall pay to the state of Michigan, through the Office of Financial and Insurance Services, a fine in the amount of \$1000.00. Upon execution of this Order, the Office of Financial and Insurance Services will send Respondent an Invoice for the civil fine, which will be due within 30 days of issuance of the Invoice.



Frances K. Wallace  
Chief Deputy Commissioner

Dated: 04 Sept 2007